

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

SHAWN NORTHRUP,	)	Case No.: 3:12-CV-01544-JHH
)	
Plaintiff,	)	Judge: Jeffrey J. Helmick
)	
v.	)	<u>MOTION FOR EXTENSION OF</u>
	)	<u>TIME TO RESPOND TO</u>
CITY OF TOLEDO, et al,	)	<u>DEFENDANTS' MOTION FOR</u>
	)	<u>SUMMARY JUDGMENT</u>
)	
Defendants.)	
	)	LYDY & MOAN, LTD.
)	
	)	Daniel T. Ellis (0038555)
	)	4930 N. Holland-Sylvania Road
	)	Sylvania, OH 43560-2149
	)	Telephone: (419) 882-7100
	)	Facsimile: (419) 882-7201
	)	E-mail: dellis@lydymoan.com
)	
)	
	)	Counsel for Plaintiff
)	
)	
)	

Plaintiff, Shawn Northrup (“Northrup” or “Plaintiff”), moves the Court to grant this motion for extension of time to respond to Defendants’ Motion for Summary Judgment until

March 27, 2014. Plaintiff makes this motion based upon his basement flooding delaying his preparation of a response. A memorandum is attached and incorporated by reference.

WHEREFORE, Plaintiff moves this Court to enter an Order for an extension of time to March 27, 2014 to respond to Defendants' Motion for Summary Judgment.

Respectfully submitted,

/s/ Daniel T. Ellis

Daniel T. Ellis (0038555)
Lydy & Moan, Ltd.
The Pacesetter Building
4930 Holland-Sylvania Road
Sylvania, OH 43560-2149
Telephone: (419) 882-7100
E-mail: dellis@lydymoan.com

Attorney for Plaintiff
Shawn Northrup

MEMORANDUM

Defendants' filed a Motion for Summary Judgment on January 29, 2014. The Court had set February 28, 2014 as the deadline for the filing of Plaintiff's response to Defendant's motion for summary judgment but plaintiff obtained a first extension until March 20, 2014 and a second extension due to the hospitalization of a family member until March 27, 2014. Plaintiff had a flood in his basement due to a sump pump failure which delayed the preparation of his response. Granting this request would extend the Plaintiff's time to respond by four days and is not interposed for delay. Attorney Madigan, defendants' attorney, has already consented to this request for an extension of time.

For these reasons, and not for the purpose of delay, the Plaintiff requests that the Court extend the time within which to file a response to Defendants' Motion for Summary Judgment until March 31, 2014.

Respectfully submitted,

/s/ Daniel T. Ellis

Daniel T. Ellis (0038555)

Lydy & Moan, Ltd.
The Pacesetter Building
4930 Holland-Sylvania Road
Sylvania, OH 43560-2149
Telephone: (419) 882-7100
E-mail: dellis@lydymoan.com

Attorney for Plaintiff
Shawn Northrup

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing has been served upon the following parties via the Court's electronic filing system, this 27th day of March, 2014:

John Madigan, Senior Attorney
(0023614)
City of Toledo, Department of Law
One Government Center, Suite 2250
Toledo, OH 43604-2293

Counsel for Defendants

/s/ Daniel T. Ellis

Daniel T. Ellis (0038555)